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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,709	10/01/2001	Felice Fragola	2865-360	7019

7590

08/05/2003

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EXAMINER

NGO, LIEN M

ART UNIT

PAPER NUMBER

3727

DATE MAILED: 08/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/937,709

Applicant(s)

FRAGOLA, FELICE

Examiner

LIEN TM NGO

Art Unit

3727

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-46 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Election/Restrictions***

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species I, fig. 1;

Species II, fig. 4;

Species III, fig. 6;

Species IV, fig. 7;

Species V, fig. 8;

Species VI, fig. 9;

Species VII, fig. 10;

Species VIII, fig. 11;

Species IX, fig. 12;

Species X figs. 14-15;

Species XI, fig.18;

Species XII, figs. 19 and 20;

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. The claims are deemed to correspond to the species listed above in the following manner:

Claims 19-23 and correspond to species I;

Claims 24-28 correspond to species II;

Claim 29 corresponds to species III;

Claim 30 corresponds to species IV

Claim 31 corresponds to species V;

Claim 32 corresponds to species VI;

Claim 33 corresponds to species VII;

Claim 34 corresponds to species VIII;

Claim 35 corresponds to species IX;

Claim 36 corresponds to species X;

Claim 37 corresponds to species XI;

Claims 38 and 39 correspond to species XII.

The following claim(s) are generic: claims 1-18 and 40-46.

3. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons:

Species I has a threaded hollow fitting and an upper support that is not identical with a lower support.

Species II has an elongate support body with a lower sealing member and an upper sealing member are frustum of a cone

Species III has a supporting and sealing means composed of first and second hollow member, each member having a T cross section, the second member is containing inside an end of the first member.

Species IV has a supporting and sealing means comprising a cylindrically-shaped upper hollow member open at both ends, said upper member being placed above the outside a lower hollow member.

Species V has a supporting and sealing means comprising three mutually coupled internal hollow members, the first internal hollow member having a step formed inside it and two respective threaded coupling sections.

Species VI has a threaded hollow fitting and an upper support that is identical with a lower support.

Species VII has an elongated cylindrical bearing member being internal threaded all along its length and being internally equipped with a reinforcement cylindrical threaded structure screwed inside it, an upper closure member and a lower closure member being screwed inside the bearing member.

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Species VIII has a supporting and sealing member comprising a hollow cylindrical upper closure member and a hollow cylindrical lower closure member, each member is equipped at one of its ends with a plurality of small teeth.

Species IX has a supporting and sealing member comprising a hollow cylindrical upper closure member and a hollow cylindrical lower closure member, each member is equipped at one of its ends with a tooth.

Species X has a supporting and sealing member comprising a hollow cylindrical upper closure member which is equipped at one of its ends with a threaded wall, and a hollow cylindrical lower closure member which is equipped at one of its ends with a threaded recess.

Species XI has a supporting and sealing member comprising a supporting and sealing member comprising a cylindrical hollow reinforcing member terminating at both ends in annular shoulders and having a larger diameter in the lower annular shoulder, and a plurality of annular relief situated on the outer surface of the reinforcing member.

Species XII has a supporting and sealing member comprising a cylindrical hollow reinforcing member and a closure member, these being coupled together detachably, said reinforcing member comprising a closed end base and an upper open end, a plurality of longitudinal fins being provided on an inner surface of the reinforcing member; and a covering body having ribs provided an internal cavity.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LIEN TM NGO whose telephone number is 703-305-0294. The examiner can normally be reached on Monday through Friday from 8:30 AM -6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LEE YOUNG can be reached on 703-308-2572. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.



Lien Ngo  
August 1, 2003